**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**APPELLATE SIDE CIVIL JURISDICTION**

LETTERS PATENT APPEAL NO.18 OF 2007
IN
WRIT PETITION NO.3918 OF 2006

M/s. Parke Devis India Ltd. ..Appellant.
Vs.
Parke Devis Pensioners Association and ors.
..Respondents.

Mr.R.V.Paranjape for the Appellant.
Mrs. Gayatri Singh for the Respondent No.1.

**CORAM: S.B. MHASE &**
**R.S. MOHITE, JJ.**
**DATE : 28th March, 2007**

**P.C.**

1. The dispute governed in the present petition is about the pension benefits to be given under the Insurance Scheme. Upon the basis of the terms and the information supplied by the employer, the employees had exercised the option and had accepted the VRS. Now at this stage, the dispute is raised that the pension benefit will be reduced. It appears that such letter has been issued after contract is concluded between the parties. It will not be open for the respondent and the L.I.C. to reduce the pension benefits. The matter has been considered by the Industrial Court on merits. The Single Judge has also rejected the interim relief. As against the rejection of the interim relief, this Letters Patent Appeal is directed. We find that pension benefits are required to be given to the employees who

have already retired from the service and pending final adjudication of the issues involved. Since the matter arises from an interlocutory order and since the issue is of survival of retired employees, we refrain to entertain the appeal at this stage. L.P.A. is accordingly disposed of. The appellant may move the Single Judge for expeditious hearing of the writ petition.

**(R.S. MOHITE, J.)** **(S.B. MHASE, J.)**

FARAD CONTINUATION SHEET NO.
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**APPELLATE SIDE CIVIL JURISDICTION**

CIVIL APPLICATION NO.45 OF 2007 IN LPA NO.18 OF 2007

| Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders. | Court's or Judge's orders. |
|---|---|

Mr.R.V.Paranjape for the Applicant.

**CORAM: S.B. MHASE &**
**R.S. MOHITE, JJ.**
**DATED :28th March, 2007**

**P.C.**

1. In view of the disposal of the Letters Patent Appeal, Civil Application is disposed of.

**(R.S.MOHITE, J.)** **(S.B.MHASE, J.)**